

GP 1-641



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:  
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**Number: EL451337433US Date of Deposit: November 1, 1999**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on November 1, 1999.

Typed or Printed Name: Michael Kemp

Signed:

<b>Address to:</b>  Assistant Commissioner for Patents Box CPA Washington, DC 20231	<b>Attorney Docket No.</b>	A-63899-1/RFT/RMS/DSS
	<b>First Named Inventor</b>	Anderson et al.
	<b>Examiner Name</b>	J. Grun, Ph.D.
	<b>Group/Art Unit</b>	1641
	<b>Express Mail Label No.</b>	EL451337433US

This is a request for  continuation or  divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number

08/ 719,571

filed on 9/25/96 , entitled METHODS AND COMPOSITIONS FOR NEURAL PROGENITOR CELLS

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b); or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**CIP/NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(d).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. § 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....

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- o b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- 4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed
- 5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

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[Page 1 of 2]

01 FC:1231  
02 FC:202

380.00 0P  
39.00 0P

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	Total Claims (37 C.F.R. §1.16(c) or (j))	11 -20 =	0	X \$ 18	\$ 0
	Independent Claims (37 C.F.R. §1.16(b) or (i))	4 -3 =	1	X \$ 78	\$ 78
	Multiple dependent claims (if applicable) (37 C.F.R. §1.16(d))			+ \$ 260	\$ 0
				BASIC FEE (37 C.F.R. §1.16)	\$ 760
			TOTAL OF ABOVE CALCULATIONS	=	\$ 838
	Reduction by 50% for filing by small entity. (Note 37 C.F.R. §§1.9, 1.27, & 1.28).		-		\$ 419
				TOTAL =	\$ 419

6. Small entity status:

- A small entity statement is enclosed, if (b) and (c) do not apply.
- A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06 - 1300 (Order No. A-63899-1/RFT/RMS)

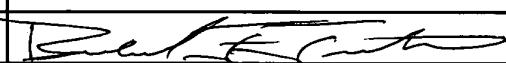
- Fees required under 37 C.F.R. § 1.16.
- Fees required under 37 C.F.R. § 1.17.
- Fees required under 37 C.F.R. § 1.18

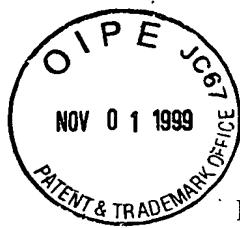
8.  A check in the amount of \$1,229 is enclosed (comprising the filing fee (\$419), extension fee (\$680) and Petition fee (\$130))

9.  Other:
 

- Return postcard
- Petition for Extension of Time
- Second Petition to Correct Inventorship
  - Declaration for Patent Application
  - Declaration of Li-Ching Lo
  - Assignee's Consent to Inventorship Correction

10.  Conditional Petition for Extension of Time: An extension of time is requested in the present and/or above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Richard F. Trecartin
Signature	
Registration No. (Attorney/Agent)	31,801
Date	11/1/99



PATENT  
Attorney Docket No. A-63899-1/RFT/DSS

#17/C  
AB  
12/17/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Anderson

Serial No. 08/719,571

Filed: September 25, 1996

For: *Methods and Compositions for Neural Progenitor Cells*

Group Art Unit: 1641

Examiner: J. Grun, Ph.D.

"EXPRESS MAIL" MAILING LABEL

Number: ET451337433US Date of Deposit: November 1, 1999  
I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name: Michael Kemp

Signed: 

PRELIMINARY AMENDMENT

The Assistant Commissioner for Patents  
Washington D.C. 20231

Sir:

This amendment is submitted with a continuing prosecution application and is responsive to the Advisory Action of May 17, 1999. A Notice of Appeal and the required fee were filed April 30, 1999. A petition for a four month extension of time and the required fee are enclosed to extend the pendency of the subject application up to and including October 30, 1999, which is a Saturday. Therefore, this amendment and continuing prosecution application are timely filed on or before Monday, November 1, 1999.

The Commissioner is hereby authorized to charge any additional fees, including extension of time fees or other relief as may be required, or credit any overpayment to Deposit Account No. 06-1300 (order No. A-63899-1/RFT/DSS).